

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANA LAURA JIMINEZ,

Plaintiff,

V.

KILOLO KIJAKAZI, acting
Commissioner of Social Security,

Defendant.

CASE No.: 1:21-cv-00279-AWI-GSA

**ORDER GRANTING DEFENDANT'S
MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE BRIEF**

(Doc. 22)

Defendant moves for an unopposed 60-day extension of time from January 3, 2022 to March 4, 2022 to file a response brief because defense counsel is current serving 92 days of active military duty.

The Scheduling Order allows for a single extension of thirty days by the stipulation of the parties. Doc. 5 at 3. Beyond the single extension by stipulation, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” *Id.*

When considering whether good cause exists to modify a scheduling order, courts consider the foreseeability of the impediment to meeting the deadline and the party's diligence in seeking the extension once it became apparent they could not meet the deadline. *See Sharp v. Covenant Care LLC*, 288 F.R.D. 465, 467 (S.D. Cal. 2012); *Ordaz Gonzalez v. Cty. of Fresno*, No. 1:18-CV-01558-BAM, 2020 WL 2539287, at *2 (E.D. Cal. May 19, 2020). The Court has the inherent power to manage its own docket to achieve an orderly and expeditious resolution of cases. *Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002).

Counsel has set forth good cause for the extension and sought it well in advance of the January 3 deadline.

Accordingly, it is **ORDERED** that Defendant's deadline to file a response brief is extended to and including March 4, 2022. All other deadlines are adjusted accordingly.

IT IS SO ORDERED.

Dated: **December 6, 2021**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE